

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

MOTOROLA SOLUTIONS, INC.,

Plaintiff

v.

HYTERA COMMUNICATIONS
CORPORATION LTD.

Defendant

Civil Action No. 1:17-cv-01972

Hon. District Judge Franklin U. Valderrama

Hon. Magistrate Judge Jeffrey Cummings

UNOPPOSED MOTION TO RESCHEDULE CLAIM CONSTRUCTION HEARING

Plaintiff Motorola Solutions, Inc. (“Motorola”) respectfully moves the Court to reschedule the claim construction hearing to a day during the week of November 27, 2023. On August 3, 2023, the Court scheduled the *Markman* hearing for this matter for October 5, 2023. Dkt. 311. That date does not work for Motorola because its lead counsel, Mr. Michael De Vries and Mr. Adam Alper, have a pre-existing conflict. Messrs. De Vries and Alper are lead counsel on a matter that is pending in the United States District Court for the Eastern District of Pennsylvania¹ and which has a trial scheduled to begin on October 3, 2023. Ex. 1 at 1 ¶ 1.²

The *Unisys* trial is expected to last until mid-to-late October. Following that trial, the Motorola team has other pre-existing conflicts due to other case commitments through November 17, 2023.

¹ *Unisys Corp. v. Gilbert et al.*, No. 2:23-cv-00555 (E.D. Pa.).

² All exhibits are appended to the Declaration of Ali-Reza Boloori filed in support of Motorola’s present motion.

During the week of November 6, 2023: (i) Messrs. De Vries, Alper, and Deoras are lead counsel at a claim construction hearing in a case pending in the United States District Court for the District of Delaware³ on November 7, 2023 (Ex. 2); and (ii) Messrs. De Vries, Alper, and Deoras are lead counsel in a matter pending in the United States District Court for the Southern District of California⁴ that has a pre-trial conference scheduled for November 9, 2027 (Ex. 3).

During the week of November 13, 2023, at least two experts that Motorola may call at the hearing, Professor Stephen Wicker and Professor Kevin Almeroth both are due to appear at witnesses at trial. Because Hytera has indicated that it may call an expert witness at the claim construction hearing (*see* Dkts. 203, 308), Motorola reserves the right to do the same.

Given the Thanksgiving holiday during the week of November 20, 2023, Motorola respectfully requests that the Court reschedule the claim construction hearing in this matter to a day during the week of November 27, 2023. If that does not work with the Court's schedule, the parties stand ready to provide their availabilities for a mutually workable date thereafter.

Motorola has met and conferred with Hytera on this request, and Hytera does not oppose Motorola's motion.

³ *State Farm Mutual Automobile Insurance Co. v. Amazon.com, Inc. et al.*, C.A. No. 1:22-cv-01447-CJB (D. Del.).

⁴ *Omnitracs, LLC et al v. Platform Science, Inc.* No. 20-cv-958-CAB-DDL (S.D. Cal.).

DATED: August 24, 2023

Respectfully submitted,

/s/ Akshay Deoras

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CERTIFICATE OF SERVICE

I, Akshay S. Deoras, an attorney, hereby certify that on August 24, 2023, I caused a true and correct copy of the foregoing document to be served via the Court's ECF system upon all counsel of record.

DATED: August 24, 2023

/s/ Akshay Deoras

Akshay S. Deoras